

◆ INTRODUCTION ◆

Sexual Assault Response Team (SART)

Mission Statement: To promote social change that fosters a society responsive to victims/survivors, their families and our community that holds offenders accountable.

This pamphlet is designed to provide guidelines for San Diego County sexual assault victims and the agencies providing them with comprehensive care and services.

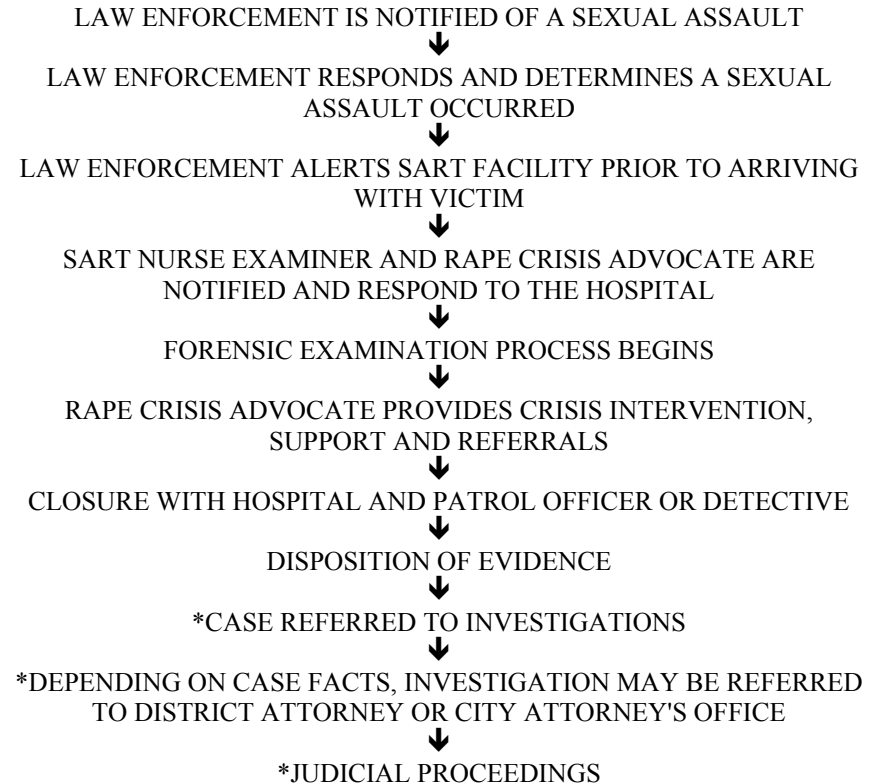
Readers are encouraged to contact any Sexual Assault Response Team (SART) resource facility for questions, concerns or clarifications. The SART team is dedicated to providing the best service possible to ensure that each person makes the transition from "victim" to "survivor" as quickly and smoothly as possible.

This pamphlet was prepared by San Diego City and County SART resources including:

SART Facilities
Rape Crisis Centers
Law Enforcement Agencies
Community Resources
District Attorney's Office
District Attorney's Victim Assistance Program
County of San Diego, Health and Human Services Agency,
Division of Emergency Medical Services

Revised 03/21/2005

❖ SART Process ❖



* Rape Crisis Advocates provide on-going support to survivors throughout the criminal justice process. In addition, the District Attorney's Victim Assistance Program provides comprehensive services including emergency assistance and possible financial compensation.

SART (Sexual Assault Response Team) is a countywide victim-sensitive program designed to provide a team approach to sexual assaults. The team consists of a nurse examiner who provides a forensic evidentiary examination and medical support, a law enforcement officer, who conducts an investigation and provides emergency assistance, and a victim advocate, who is there to provide emotional support to the victim. Law enforcement pays for the forensic examination; however, any other medical costs will be billed to the patient who may later be reimbursed through the State of California Victims of Crime Compensation Program.

◆ WHAT VICTIMS NEED TO KNOW ◆

If the sexual assault just occurred, advise the victim not to bathe, douche, urinate or otherwise alter her/his physical self, or engage in any activity that may contaminate or destroy valuable evidence such as semen, saliva, hairs, etc. This includes:

eating	drinking	brushing teeth
chewing gum, candy or mints	gargling	smoking

Advise the victim that the hospital may need to collect her/his clothing if it was worn during or immediately after the assault. Recommend that she/he either bring a change of clothing with her/him to the hospital, or have someone bring clothing to her/him.

If the report is delayed, evidence may still be available. The victim should not wash bedding or clothes, or dispose of any items associated with the sexual assault.

Except in child molest cases and domestic violence incidents, an adult victim may choose to terminate a police investigation if she/he wishes. Inform the victim that depending on the investigating agency's policy, evidence may be held while she/he decides whether she/he wants to pursue prosecution.

If there is any reason to believe that the victim was drugged, i.e., she/he believes someone drugged her/him because she/he woke up without clothing and does not remember what happened to her/him, stress the importance of obtaining a urine sample for a complete toxicology screen as soon as possible.

California Penal Code gives sexual assault survivors the right to request their name and address not become public record. Sexual assault survivors also have the right to have a victim advocate and at least one other support person of their choice present at any follow-up interview with law enforcement authorities, deputy district attorneys and defense attorneys.

◆ SAN DIEGO COUNTY SART HOSPITALS ◆

Pomerado Hospital
15615 Pomerado Road
Poway, CA 92064
(760) 739-2150

* Children's Hospital
Chadwick Center
3020 Children's Way
San Diego, CA 92123
(858) 966-5980

University Community Medical Center
5550 University Avenue
San Diego, CA 92105
(619) 582-3516

* Palomar Medical Center
Child Abuse Program
555 East Valley Parkway
Escondido, CA 92025
(760) 739-2150

*Children's Hospital and Palomar Medical Center have comprehensive programs to assist in the detection and evaluation of child abuse and molest. Their staff includes physicians, social workers and nurses. The San Diego Police Department refers all victims under the age of eighteen to Children's Hospital; however, several law enforcement agencies in San Diego County refer adolescents, fourteen to seventeen to adult SART facilities within their jurisdiction.

Services Provided:

- ▶ At the request of law enforcement or Children's Services Bureau (CSB), an immediate response by a physician/nurse team is available for acute assaults reported within 72 hours of the incident. For cases disclosed beyond 72 hours, a daytime examination should be scheduled.
- ▶ A history of the assault is obtained from the law enforcement or CSB representative present at the time of the examination.
- ▶ Acutely assaulted adolescent victims are further interviewed by the examining nurse/physician who is responsible for completing the Office of Criminal Justice and Planning (OCJP) report.
- ▶ Per the San Diego Victim protocol, interviews for acutely assaulted child victims and late disclosure cases are deferred to the detective to eliminate an excessive number of interviews with young victims.
- ▶ Examination with colposcopic photo documentation. Forensic evidence collection is performed according to State of California protocol and the chain of evidence is maintained at all times according to California state law.

- ▶ The forensic examiner will discuss the results of the examination with the law enforcement or CSB representative and provide them with the completed OCJP form, which documents their findings.
- ▶ Risk of exposure to sexually transmitted disease and pregnancy is discussed with the victim and/or family. Testing and prophylaxis are provided as indicated. Follow-up testing is scheduled.
- ▶ Child protective issues are assessed and a report to Children's Services Bureau is filed.
- ▶ Need for crisis intervention/therapy is discussed. Family and patient are advised about available services.
- ▶ Every effort is made to eliminate unnecessary and repetitive interviews. At the request of law enforcement, specially trained evidentiary social workers are available to conduct videotaped interviews with child and adolescent victims. This service is also available for severely developmentally delayed adults.

In addition, the evidentiary social worker provides the following services:

- ▶ Immediate crisis intervention when case presents during normal working hours, 8:00 AM to 6:00 PM. Cases presented after hours are provided with follow-up crisis intervention services within 24 hours.
- ▶ Crisis intervention includes familiarizing victim and family with the examination process and findings, legal interventions, rape trauma syndrome and provision of individual, family and group therapy resources.
- ▶ Continued assessment of protective issues and liaison with Children's Services Bureau and law enforcement as needed.
- ▶ Remains available to family for ongoing telephone or face to face contacts to assist victim/family in coping with the assault.

◆ INITIAL CONTACT BY LAW ENFORCEMENT AGENT ◆

Victim contacts law enforcement to report the assault. The officer arrives and the following occurs:

- ▶ Ensures victim's safety
- ▶ Evaluates need for emergency medical care
- ▶ Evaluates need for additional units and supervisor
- ▶ Check for possible suspects

- ▶ Isolates potential witnesses
- ▶ Preserves crime scene
- ▶ Conducts preliminary interview of victim
- ▶ Determines need for evidentiary exam
- ▶ Evaluates need for response from Investigations
- ▶ Notifies SART facility
- ▶ Arrives at SART facility with victim
- ▶ Stands by during Sexual Assault Evidentiary Exam (SAEE)
- ▶ Provides transportation for victim at completion of exam
- ▶ Impounds evidence
- ▶ Conducts reports and submits to Investigations

❖ SEXUAL ASSAULT EVIDENTIARY EXAM ❖ by Sexual Assault Forensic Examiner (SAFE)

- Responds to notification of sexual assault
- Notifies advocate
- Introduces victim to SART team concept
- Obtains preliminary history from law enforcement agent at hospital (This provides the nurse examiner with necessary information to adequately prepare for exam)
- Conducts in-depth interview
- Conducts physical examination using photo documentation and collects appropriate physical evidence
- Educates victim regarding sexually transmitted diseases, HIV, pregnancy and what can be expected
- Addresses medical needs and provides referrals for follow-up
- Completes OCJP forms, preserves and packages physical evidence
- Maintains a chain of evidence
- Discusses findings with law enforcement

❖ Rape Crisis Advocate ❖

- Responds when notified by SART facility
- Introduces self and explains they are there to provide immediate crisis intervention
- Provides support to meet emotional needs of victim, family and friends at SART facility
- Acts as a liaison between SART team members and victim
- Accompanies survivor during follow-up interviews with law enforcement, deputy district attorneys and defense attorneys
- Provides court advocacy during hearings and trial

❖ Detective Follow-Up ❖

- Detective or Investigative Sergeant is notified of a sexual assault. Depending on the circumstances, a detective may respond to the scene or to the SART facility more frequently, detectives are assigned cases the following day
- Reviews available crime report and OCJP report
- Makes contact with victim, provides support and transportation when necessary
- Interviews victim and verifies or clarifies contents of preliminary investigation
- Interviews witnesses
- Submits lab requests to analyze physical evidence
- Checks crime scene, obtains appropriate photographs
- If suspect is unknown, attempts to identify
- If suspect is identified and elements of the crime exist, submits follow-up investigation to *District Attorney or City Attorney
- Arranges Deputy District Attorney interview with victim
- Provides assistance to Deputy District Attorney and victim through court process
- Provides information to victims about their rights and the media

❖ Criminalist ❖

- Not all evidence gets analyzed. The decision depends on the history and nature of the assault. Evidence may be forwarded to the Crime Lab for analysis of blood, semen, and saliva.

Comments:

The County of San Diego Sheriff's Child Abuse Unit investigates all cases where the victim is under the age of 14, whereas all victims fourteen and over are handled by area station detectives. In some instances, victims over the age of 14 may be referred to the Child Abuse Unit if the suspect is a person of trust.

The City of San Diego Police Department Sex Crimes Unit investigates all felony sexual assaults involving victims 14 years and older regardless of the suspect's age or relationship to the victim. Misdemeanor sex crimes are handled by the area stations. Sexual assaults committed against children 13 years and younger are investigated by the Child Abuse Unit. Spousal rapes are handled by the Domestic Violence Unit.

* The San Diego County District Attorney's Office has specialized Domestic Violence, Child Abuse, and Sexual Assault Divisions.

❖ Criminal Prosecution ❖

- If a suspect is in custody or the identity of the suspect is known and the elements of a crime exist, the investigation is referred to either the District Attorney for felonies county-wide and misdemeanors outside the City of San Diego, or to the City Attorney for misdemeanors within the City of San Diego.
- The appropriate prosecuting agency reviews the information submitted by the investigating agency. The review includes evaluating victim, witness and suspect statements and any physical evidence associated with the case. If the prosecutor believes the case can be proven beyond a reasonable doubt, charges are filed. If the suspect is not in custody at the time of the review, a warrant may be issued for the suspect's arrest

Once a suspect is in custody, court proceedings may include:

- Arraignment of defendant in Municipal Court
- Bail Review
- Preliminary Hearing * - within 10 court days after arraignment, witnesses testify, including survivors, and the judge must decide whether there is enough evidence to show that the defendant probably committed the crime.
- Arraignment of defendant in Superior Court
- Second Bail Review
- Pretrial Motions
- Readiness Conference - defendant may plead guilty or not guilty at this time
- Trial * - date is set within 60 days, witnesses testify, including survivor, jury decides whether defendant is guilty or not guilty

* D.A. Victim Assistance advocates will most likely need to be present at these proceedings.

If the suspect is found guilty:

- The Probation Department will most likely contact victim concerning impact statement and restitution.
- Sentencing Hearing – Approximately one month after trial, survivor makes impact statement to judge, if he or she desires.

❖ Community Resources ❖

These groups provide an immediate and long-term advocacy program for both victims of sexual abuse and domestic violence.

Center for Community Solutions (858) 272-5777
 (Rape Crisis Center-Coastal)
 Center for Community Solutions (East) (619) 697-7477
 Center for Community Solutions (North) (760) 747-6282
 Women's Resources Center (Oceanside) (760) 757-3500
 YMCA Battered Women's Services (619) 234-3164
 Children's Hospital, Chadwick Center (858) 966-5980
 Military Family Advocacy Centers:
 Miramar (858) 577-6585
 Naval Station San Diego (619) 556-8809
 Naval Station North Island (619) 545-6071
 Naval Station Point Loma (619) 553-7505
 Indian Health Council, Inc. [Peace Between Partners Program] .. (760) 749-1410 x5249
 Rape Abuse and Incest National Network (RAINN) (800) 656-HOPE (4673)
 (When a survivor calls the 800 number, a computer will read the caller's area code and the first three digits of the phone number. The call will then be routed instantaneously to the rape crisis center nearest to the caller.)

Services Offered:

- ❖ 24 hour hotline
- ❖ SART Advocate Accompaniment (hospital, court, police interview process)
- ❖ Community Resource Information Materials
- ❖ Legal Support, Information and Referrals
- ❖ Emergency In-person Counseling
- ❖ Emergency Shelter for Victims and Families
- ❖ Individual, Family and Group Counseling
- ❖ Family Violence Intervention Program
- ❖ Community Education Programs
- ❖ Anger Management Programs
- ❖ Self Defense Instruction

❖ District Attorney Victim Assistance Program ❖ (619) 531-4041

The D.A. Victim Assistance Program offers comprehensive services to crime victims. Advocates are located throughout the County. Services may include:

- Crisis Intervention
- Emergency Assistance (housing, food, medical care, etc.)
- Community Resource Referrals
- Assistance with filing Victims of Crime Compensation Claims
- Information about the Criminal Justice System (case status, impact statements, restitution, etc.)
- Court Support
- Community Outreach Training

D.A. victim advocates are also available to intercede on behalf of victims with family and friends as well as law enforcement officers and prosecutor.

❖ State of California Victims of Crime Compensation Program ❖ (800) 777-9229

Crime victims may be entitled to reimbursement for some of the losses experienced as a result of the crime. Losses that may be covered include:

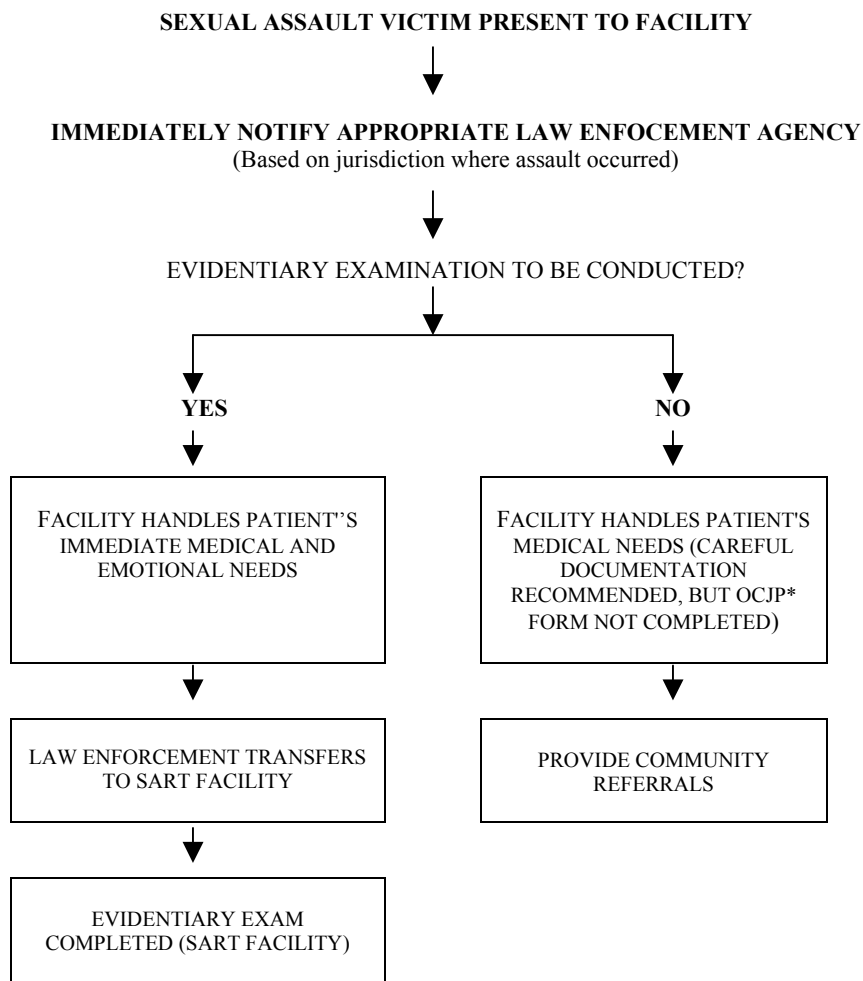
- Medical/Dental expenses
- Mental health counseling
- Loss of income or support
- Job retraining
- Funeral or burial expenses

❖ Additional Victim Assistance Agencies ❖

Victims of Crime Resource Center (National) (800) 851-3420
 The Crime Victims Fund (619) 465-4600
 Crime Victims Compensation Legal Clinic (858) 549-4202

❖ San Diego County Sexual Assault Victim Protocol ❖

This chart presumes that the immediate medical needs of the victim will be met and treated appropriately, with simultaneous notification of the appropriate law enforcement agency.



*Designated by the Office of Criminal Justice Planning (OCJP) to document forensic findings.

QUESTIONS REGARDING UNUSUAL CIRCUMSTANCES (ie: out of county; out of country; evidence preservation pending exam) CONTACT SART FACILITY.

❖ SART RESOURCE LIST ❖

SART HOSPITALS

Pomerado Hospital (760) 739-2150
Pomerado Hospital (Emergency Number) (888) 211-6347
University Community Medical Center
(dial "0" at recording) (619) 582-3516
Children's Hospital Chadwick Center (858) 966-5980
Children's Hospital After Hours (Emergency Dept.) (858) 966-8005
Palomar Hospital (760) 739-2150
Palomar Hospital Emergency Number 1-(888) 211-6347
Naval Medical Center, San Diego
(currently not doing exams) (619) 532-8275

RAPE CRISIS CENTER (24-Hour Hotlines)

Center for Community Solutions 1-(888) 385-4657
Women's Resource Center (760) 757-3500
Navy Sexual Assault Victim Intervention (SAVI) Program (619) 692-5909

LAW ENFORCEMENT AGENCIES (Non Emergency)

Carlsbad Police Department (760) 931-2197
Vista Police Department (619) 691-5151
Coronado Police Department (619) 522-7350
El Cajon Police Department (619) 579-3311
Escondido Police Department (760) 839-4722
La Mesa Police Department (619) 469-6111
National City Police Department (619) 336-4411
Oceanside Police Department (760) 435-4900
San Diego Police Department (619) 531-2000
* San Diego County Sheriff's Department (858) 565-5200
Naval Criminal Investigative Services (619) 556-1364
* Covers unincorporated areas of the County, and contracted cities of:
Del Mar Encinitas Fallbrook Imperial Beach Lemon Grove
Poway San Marcos Santee Solana Beach Valley Center Vista

OFFICE OF DISTRICT ATTORNEY

Family Protection Division
Child Abuse and Domestic Violence Units (619) 531-4300
Juvenile Division (sexual assault involving juvenile offenders ... (858) 694-4537
Sexual Assault Division (all other sexual assault not qualifying
for Domestic Violence, Child Abuse or Juvenile Divisions) .. (619) 531-4300
Victim Assistance Program (619) 531-4041